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EXAMINER
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PHAN, TUANKHANH D

ART UNIT	PAPER NUMBER
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2153

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12/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/780,359

Applicant(s)

RYAN, WILLIAM KENNETH

Examiner

TuanKhanh Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/06/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/17/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the numeric Internet Protocol" in part **b**. There is insufficient antecedent basis for this limitation in the claim.

Claims 2 and 12 recite the limitation "the secondary domain owners" in the last line. There is insufficient antecedent basis for this limitation in the claims.

The phrase "... the different domain names in addition to and not replacing..." used in the claim 1 is vague and indefinite.

The phrase "... names contained in each of the directories instead of and not replacing..." used in the claim 9 is vague and indefinite.

Claim 28 appears to be a method of steps claimed as an "improvement" to a system.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 9, 11, 20, 23 and 32 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. They are directed to data structure that is not associated with hardware and is nonfunctional descriptive language.

Claim 8 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is directed to software per se. The claim lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. It is clearly not a series of steps or acts to be a process nor is it a combination of chemical compounds to be a composition of matter. As such, it fails fail to fall within a statutory category. It is, at best, functional descriptive material per se.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works, and a compilation or mere arrangement of data.

Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of

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technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (discussing patentable weight of data structure limitations in the context of a statutory claim to a data structure stored on a computer readable medium that increases computer efficiency) and *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture, or composition of matter and should be rejected under 35 U.S.C. 101. Certain types of descriptive material, such as music, literature, art,

photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. USPTO personnel should be prudent in applying the foregoing guidance. Nonfunctional descriptive material may be claimed in combination with other functional descriptive multi-media material on a computer-readable medium to provide the necessary functional and structural interrelationship to satisfy the requirements of 35 U.S.C. 101. The presence of the claimed nonfunctional descriptive material is not necessarily determinative of nonstatutory subject matter. For example, a computer that recognizes a particular grouping or sequence of musical notes read from memory and thereafter causes another defined series of notes to be played, requires a functional interrelationship among that data and the computing processes performed when utilizing that data. As such, a claim to that computer is statutory subject matter because it implements a statutory process.

### ***Double Patenting***

Claims 1-5 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 6,412,014.

Although the conflicting claims are not identical, they are not patentably distinct from each other, see the comparison below.

US Pat. 6,412,014	Present application
1. In a national or other top level Internet registry system which allows nationals to register a primary domain name resulting in	1. In a national or other top level Internet registry system which allows nationals to register a different domain name resulting in

<p><b>a plurality of registered domain names,</b></p> <p>all different, the registry system having a large number of computers connected to a central registry computer system containing the plurality of <u>primary</u> domain names, <b>the <u>improvement</u> comprising an associated directory under each of a plurality of the different primary domain names,</b></p> <p><i>(Comment: while one may argue that part b of the present application has an IP address directory, records of domain name registration usually included associated IP address with corresponding domain names whether listed separately or not.)</i></p> <p><b>a collection of one or more secondary domain names and information concerning the owner or owners of each of the <u>secondary</u> domain names contained in each associated directory.</b></p> <p><i>(Comment: primary domain names as admitted by this Patent are national domain names; thus, domain names of the current application are not patentably distinct from the claim of this Patent)</i></p>	<p><b>a plurality of different registered domain names,</b></p> <p><b>the <u>improvement</u> characterized by: a) an associated directory under each of a plurality of the different domain names in addition to and not replacing the each of a plurality of different registered domain names,</b></p> <p>b) the numeric Internet Protocol (IP) address of the associated directory being separate from the numeric Internet Protocol address of a corresponding different domain name, the numeric IP address of the corresponding different domain name remaining unchanged, and</p> <p>c) <b>a collection of one or more associated domain names and information concerning the owner or owners of each of the associated domain names contained in each associated directory.</b></p>
<p><b>2. The Internet system of claim 1 wherein each of a plurality of associated directories includes the secondary domain name or names of the owner or owners of the secondary domain names and the IP address of each of the secondary domain name owners in the information provided.</b></p> <p><b>3. The Internet system of claim 1 wherein each of a plurality of associated directories contains one or</b></p>	<p><b>2. The Internet system of claim 1 wherein each of a plurality of associated directories optionally includes the corresponding domain name of an owner or owners of the corresponding different domain name and includes an IP address of each of the secondary domain owners.</b></p> <p><b>3. The Internet system of claim 1 wherein each of a plurality of associated directories contains one or more associated mnemonic domain names identical</b></p>

more secondary domain names identical to the primary domain name.	to the plurality of registered mnemonic domain names.
<b>4. The Internet system of claim 1 wherein the improvement further comprises a separate listing of entities with an IP address.</b>	<b>4. The Internet system of claim 1 further characterized by a separate listing of associated domain names with an IP address.</b>
<b>5. The Internet system of claim 1 wherein the improvement further comprises the secondary domain names ranked in the order of frequency of selection.</b>	<b>5. The Internet system of claim 1 further characterized by the associated domain names ranked in the order of frequency of selection.</b>
<b>6. The Internet system of claim 1 wherein the improvement further comprises the secondary names listed by post office address.</b>	<b>6. The Internet system of claim 1 further characterized by the associated domain names listed by post office address.</b>
<b>7. The Internet system of claim 1 wherein the improvement further comprises the secondary names listed by telephone area code.</b>	<b>7. The Internet system of claim 1 further characterized by the associated domain names listed by telephone area code and telephone number.</b>

Examiner's note: regarding claims 1, 9, 11, 20, 23, 28 and 32, as best understood by the Examiner, they disclose a domain name registration system that allows different entities to register domain names under the same name within a directory.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-7, 9 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Broadhurst (US Pat. 6,560,634).

Regarding claims 1 and 32, Broadhurst teaches in a national or other top-level (i.e. a generic top level domain name [gTLD; .com] or country code top level domain [ccTLD; .us], list of 50 countries, Figure 5B; col. 7, lines 14-25) Internet



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registry system which allows nationals to register a different domain name resulting in a plurality of different registered domain names (i.e. **registration is performed upon a user selects a specified domain name to be registered**, col. 6, lines 50-55), the improvement characterized by:

a) an associated directory under each of a plurality of the different domain names (i.e. **a data system maintaining registration records of domain names for various domain names**, col. 2, lines 35-45; col. 2, lines 50-53) in addition to and not replacing (i.e. **a domain name is not available for registration if there already exist the domain names - they cannot be replaced**, col. 6, lines 20-26) the plurality of different registered domain names (col. 6, lines 20-26),

b) the numeric Internet Protocol (IP) address of the associated directory (i.e. **associated domain names contain associated numerical address [IP]**, col. 2, lines 6-9; col. 3, lines 54-60) being separate from the numeric Internet Protocol address of a corresponding different domain name (i.e. **information regarding the domain name is not being compared, but only the domain name when check for its availability**, col. 3, lines 54-60), the numeric IP address of the corresponding different domain name remaining unchanged (i.e. **information regarding the domain name remains unchanged when check for a domain name's availability**, col. 6, lines 20-26), and

c) a collection of one or more associated domain names and information concerning the owner or owners of each of the associated domain names contained in each associated directory (i.e. **indication of a contact person for**

**particular domain name includes owner(s)**, col. 3, lines 56-60; **Whois information could include identity of domain name owner(s)**, col. 4, lines 30-33).

Regarding claim 2, Broadhurst teaches the Internet system of claim 1 wherein each of a plurality of associated directories optionally includes the corresponding domain name of an owner or owners of the corresponding different domain name and includes an IP address of each of the secondary domain owners (col. 3, lines 55-60; col. 4, lines 29-33).

Regarding claim 3, Broadhurst teaches the Internet system of claim 1 wherein each of a plurality of associated directories (col. 2, line 43-45, **records for an associated domain name**) contains one or more associated mnemonic domain names identical to the plurality of registered mnemonic domain names (i.e. **a domain name may used as a type of mnemonic characters**, col. 1, lines 26-32; col. 2, lines 45-47).

Regarding claim 4, Broadhurst teaches the Internet system of claim 1 further characterized by a separate listing of associated domain names with an IP address (i.e. **database contains records associating with IP address**; col. 2, lines 5-9).

Regarding claim 6, Broadhurst teaches the Internet system of claim 1 further characterized by the associated domain names listed by post office address (col. 2, lines 15-17 & 20-29).

Regarding claim 7, Broadhurst teaches the Internet system of claim 1 further characterized by the associated domain names listed by telephone area code and telephone number (col. 2, lines 15-17 & 20-29).

Regarding claim 9, Broadhurst teaches the internet system of claim 1 further characterized by a plurality of multi tiered directories containing names (i.e. **registration records of multi-domain names of associated domains is a multi-record of directories**, col. 2, lines 35-40 & 43-49) in combination with information concerning the owner or owners of names contained in each of the directories instead of and not replacing mnemonic domain names (i.e. **a domain name may used as a type of mnemonic characters**, col. 1, lines 26-32; col. 2, lines 45-47).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 5, 8, 10-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broadhurst in view of Paltridge (Internet Domain Names: Allocation Policies, OCDE/GD(907)207).**

Regarding claim 5, Broadhurst teaches the Internet system of claim 1 further characterized by the associated domain names but lacks the ranking of selection order. In the same field of endeavor, Paltridge discloses the ranking domain queries (p. 70, Table 20). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ranking order of frequency taught by Paltridge

into the associated records of domain names taught by Broadhurst to tabulate a table of domain names registered per capita for data analysis.

Regarding claim 8, see discussion of claims 1 and 5 above, Paltridge further teaches the Internet system of claim 1 further characterized by the associated domain names listed by type of business (i.e. **additional set of gTLDs indicates general type of business a domain name is registered for**, p. 27, ¶ 3).

Regarding claim 10, Broadhurst teaches the Internet system of claim 9 wherein each of a plurality of multi tiered directories contain the name, address, emails, and phone number but lacks type of business.

However, in the same field of domain name registration associated records listing, Paltridge teaches type of business (i.e. **showing identifiers of specific professions or business activities**, p. 55, lines 9-24) an owner or owners of each name contained in each of the directories.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate type of business of domain names taught by Paltridge into directory records taught by Broadhurst to envisage for people to use DNS locate a service as readily as the "yellow pages" (p. 55, lines 10-14)

Regarding claim 11, Broadhurst teaches in an Internet registry system of claim 1 which allows nationals to register primary domain names [as admitted by the applicant, primary is a domain name registered by a national authority] (col. 7, lines 14-25; col. 6, lines 50-55), the improvement characterized by:

a) Broadhurst teaches a sub-directories containing a listings (i.e. **records of sub-domains**, col. 1, lines 59-65; col. 2, lines 35-40); while Broadhurst teaches sub-domain from top domain, Broadhurst does not explicitly discloses second level domain of a plurality of associated second level domain names (SLDs) corresponding to SLDs of registered domain names, each of the plurality of listings constituting an associated sub-directory. However, in the same field of endeavor of domain name registration and associated records, Paltridge teaches associated records of the second level domain corresponding with registered domain names (p. 11, ¶ 1, lines 8-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made incorporated the second level domain taught by Paltridge into the associated records and sub-domains of Broadhurst construct a solid hierarchy of domain levels.

b) a collection of names and information concerning each associated SLD contained in each associated sub-directory (see discussion of part a above), the IP address of each sub-directory being separate from the IP address of the corresponding domain name, which IP address of each corresponding domain name remains unchanged (i.e. **a collection of names and IP addresses remains unchanged since listing them is apart from checking for availability**, col. 3, lines 55-60; col. 4, lines 29-33).

Regarding claim 12, see discussion of claim 11, Broadhurst teaches the Internet system wherein each of a plurality of associated sub-directories includes an associated domain name of an owner or owners of an associated domain name and an IP address

of each of the secondary domain name owners (i.e. **indication of a contact person for particular domain name includes owner(s)**, col. 3, lines 56-60; **Whois information could include identity of domain name owner(s)**, col. 4, lines 30-33).

Regarding claim 13, see discussion of claim 11 above, Paltridge further teaches the Internet system wherein each of a plurality of associated sub-directories contains one or more SLDs identical to the SLD of a corresponding domain name (p. 11, ¶ 2, lines 4-14).

Regarding claim 14, see the discussion of claim 11, Paltridge further teaches the system characterized by a separate listing of associated second level domain names with an IP address (p. 11, ¶ 1, lines 8-14).

Regarding claim 15, see the discussion of claim 11, Paltridge teaches the system further characterized by the associated second level domain names ranked in the order of frequency of selection (p. 70, Table 20).

Regarding claim 16, see the discussion of claim 11 above, Broadhurst further teaches system characterized by the associated second level domain names listed by post office address (col. 2, lines 15-17 & 20-29).

Regarding claim 17, see the discussion of claim 11 characterized by the associated second level domain names listed by telephone area code and telephone number (Broadhurst, col. 2, lines 15-17 & 20-29).

Regarding claim 18, see the discussion of claim 11, Paltridge further teaches the Internet system characterized by the associated second level domain names listed by type of business (p. 27, ¶ 3).

Regarding claim 19, see the discussion of claim 11, Paltridge further teaches the system wherein each of a plurality of associated sub-directories includes an associated sub-sub-directory (p. 11, ¶ 2, lines 4-14).

**Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broadhurst in view of Kelly (US Pat. 6,347,085)**

Regarding claim 20, Broadhurst teaches an Internet registration system claim 1 having a basic Internet domain name structure (i.e. register for a domain name, col. 6, lines 50-56) characterized by: a) a register for any name an applicant wishes to register without changing the basic Internet domain name structure (col. 6, lines 50-56), but lacks b) one or more registers for qualifiers, which qualifiers in combination with the name distinguish the registration from all previous registrations of the same name, whereby multiple uses of identical names to identify different resources can be employed.

However, in the same field of endeavor of domain names registration, Kelly teaches lacks b) one or more registers for qualifiers, which qualifiers in combination with the name distinguish the registration from all previous registrations of the same name, whereby multiple uses of identical names to identify different resources can be employed (i.e. representing different related names could register for distinguish domain name registration, col. 9, lines 36-55; col. 13, lines 1-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made could have combine the different domain names under a common

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names with different keys taught by Kelly with Internet domain name register structure of Broadhurst to resolve a domain name or sub-domain names to a network protocol address of a gTLD or ccTLD.

Regarding claim 21, see discussion of the claim 20 above, Broadhurst further teaches characterized by the registered name being a name that the registrant has a legal right to use (i.e. Apple has the legal right to use the name "apple" for different domain or sub-domain names, col. 4, lines 50-60).

Regarding claim 22, see discussion of claim 20 above, Kelly further teaches the registration system characterized by the registers being arranged in a tree structure (col. 9, lines 44-46), each name-tree structure containing several instances of non-unique entries, each entry further qualified by additional attributes (Figure 4).

**Claims 23-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broadhurst in view of Quigley (Bulletin July/August 1998 Internet Update – New Domain Names and Dispute Resolution Rules)**

Regarding claim 23, Broadhurst teach an Internet registry system of claim 1 containing conventional domain names in a directory, but lacks each conventional domain name having a top level domain component and a second level domain component, the improvement characterized by a) the addition of one or more duplicate added second level domain names and b) the addition of one or more characters and/or ordinals anywhere in each added second level domain name to create new domain



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names, all different, the added characters not forming conventional names, and without changing the original domain name.

However, in the same field of domain name registration, Quigley teaches each conventional domain name having a top level domain component and a second level domain component (page 14, lines 20-32), the improvement characterized by a) the addition of one or more duplicate added second level domain names (page 14, lines 20-32) and b) the addition of one or more characters and/or ordinals anywhere in each added second level domain name to create new domain names, all different, the added characters not forming conventional names, and without changing the original domain name (page 14, lines 20-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made could have put the additional of character into new domain names but not changing the original or conventional names taught by Quigley into conventional domain names in a directory of Broadhurst to deal with "cyberpirates" or "cybersquatters" of domain names (p. 16, line 1)

Regarding claim 24, see discussion of claim 23 above, Broadhurst further teaches the system wherein the new domain names are contained in a directory wherein the improvement is further characterized by the directory containing sufficient information about each new added domain name to aid a user in the selection of the desired new added domain name (col. 50-55).

Regarding claim 25, Broadhurst further teaches wherein the display of the view of the characters and/or ordinals is suppressed (i.e. not all domains supporting the Whois-queries, thus the information is hidden, col. 6, 35-37).

Regarding claims 26-27, according to claim 23 Quigley further teaches wherein the characters and/or ordinals consist of one character and one or more ordinal (page 14, lines 20-32).

Regarding claim 28 in an Internet registry system of claim 1 having a plurality of different registered domain names, the improvement characterized by:

Broadhurst does not teach a) a resource to indicate the existence of a non-unique domain name,

Broadhurst teaches b) a stop in an automatic translation of a domain name to a numeric IP address, and

c) a spawning of a separate process to present a sub-directory of identical domain names plus additional distinguishing information from which a user can make a selection (**records of sub-domains**, col. 1, lines 59-65; col. 2, lines 35-40), the non-unique domain names being in addition to and not replacing the plurality of different registered domain names, which different registered domain names retain their original IP address (col. 6, lines 20-26).

In the same field of domain name registration, Quigley teaches a resource to indicate the existence of a non-unique domain names (i.e. **alpha-one.com** and **alpha-1.com are non-unique domain names**, p. 14, lines 20-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporate the non-unique domain names taught by Quigley into domain records and directories of Broadhurst to prevent barring registration of similar names (Quigley, p. 14, lines 20-29).

Regarding claim 29 and 31, see the discussion of claim 28, Quigley further teaches characterized by a user registering a domain name plus one or more qualifiers (i.e. qualifier could be any add extra character to register a non-unique domain name and foster a creative spirit among the trademark owners, p. 14, lines 20-29).

Regarding claim 30, see the discussion of claim 29 above, Quigley teaches the system of claim 29 characterized by the one or more qualifiers comprise characters and/or ordinals (p. 14, lines 20-29).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schneider, Eric. US Pat. 6,901,436. Schneider discloses method, product, and apparatus for determining the availability of similar identifiers and registering these identifiers across multiple naming systems.

Gardos et al. US Pat. 6,880,007. Gardos et al. teach domain manager and method of use.

Choudhry, Azkar. US Pat. 6,442,602. Choudhry teaches system and method for dynamic creation and management of virtual sub-domain addresses.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuanKhanh Phan whose telephone number is 571-270-3047. The examiner can normally be reached on Mon to Fri, 8:00am to 4:30pm EST, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TKP



**GLENTON B. BURGESS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**